

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
Camden Vicinage

CITY SELECT AUTO SALES, INC., a New Jersey corporation, individually and as the representative of a class of similarly situated persons,

Plaintiff,

v.

DAVID RANDALL ASSOCIATES, INC. and RAYMOND MILEY III,

Defendants.

)
) Electronically Filed
)
) Civil Action No.
) 11-cv-02658-JBS-KMW
)
) Current Motion Date: September
) 19, 2011
)
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)

PLAINTIFF'S MOTION FOR ADJOURNMENT
TO OCTOBER 17, 2011 MOTION DATE

NOW COMES the Plaintiff, City Select Auto Sales, Inc., (“Plaintiff”), by and through its attorneys, and moves for an order extending the time to file its response in opposition to Defendants’ Motion to Dismiss to October 3, 2011, and adjourning the current Motion Date of September 19, 2011 to October 17, 2011. Pursuant to Local Civ. Rule 7.1(d)(4), Plaintiff has not submitted a brief herewith in the interest of brevity, as Plaintiff’s request for an adjournment does not raise complex questions of fact or law. In support of its Motion, Plaintiff alleges and states as follows:

1. Plaintiff's brief in response in opposition to Defendants' Motion to Dismiss was due on September 6, 2011.
2. Despite its best efforts, Plaintiff was not able to file its opposition by the prescribed date.
3. On September 7, 2011, Plaintiff filed a request that Defendants' Motion to

Dismiss be adjourned (along with Plaintiff's pending Motion for Class Certification) to the next Motion Date, or October 17, 2011. (Doc. 9).

4. Through the instant Motion, Plaintiff renews its request that the deadline for its response in opposition to Defendants' Motion to Dismiss be extended to October 3, 2011, and that Defendants' Motion to Dismiss be adjourned to October 17, 2011.

5. Counsel for Plaintiff has discussed this extension of time with counsel for Defendants. Defense counsel does not object to Plaintiff's proposed adjournment to the next Motion Date.

6. Aside from Doc. 9, Plaintiff has not previously requested that the Court extend any filing deadlines in the instant case.

7. This motion is not brought for purposes of harassment or delay, and Defendants will not be prejudiced by the granting of this motion.

WHEREFORE, Plaintiff City Select Auto Sales, Inc., respectfully requests that the Court enter an order, attached hereto as Exhibit A, adjourning this matter to the next Motion Date of October 17, 2011.

September 13, 2011

Respectfully submitted,

CITY SELECT AUTO SALES, INC.,
individually and as the representative of a class of
similarly-situated persons.

By: s/Alan C. Milstein
Alan C. Milstein,
One of Plaintiff's Attorneys

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Attorneys for Plaintiff City Select Auto Sales, Inc.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that, on September 13, 2011, he caused a copy of the foregoing motion to be served upon all counsel of record using the ECF system.

s/Alan C. Milstein